

## **REMARKS/ARGUMENTS**

These remarks are made in response to the Office Action of May 27, 2008 (Office Action). As this action is timely filed within the three-month shortened statutory period, no fees are believed due. However, the Office is expressly authorized to charge any deficiencies or credit any overpayments to Deposit Account 50-0951.

### **Specification**

The Specification was objected to as failing to provide proper antecedent basis for the claimed subject matter. More specifically, it was asserted that the specification does not provide a proper antecedent basis for the subject matter "machine-readable storage," as recited in Claims 13-19.

Claims 13-19 have been cancelled strictly to facilitate an expeditious prosecution. Nonetheless, Applicants respectfully maintain that the phrase "machine-readable medium" is a commonly-accepted and often-used term to describe a category of claims, just as do the terms "method" and "device," which do not require an explicit definition in the specification.

### **Claim Rejections – 35 USC §101**

Claims 20 was rejected under 35 U.S.C. § 101 because it was asserted that the claimed invention is directed to non-statutory subject matter.

Although Applicants do not agree that Claim 20 is directed solely to software, Claim 20 has been cancelled so as to expedite prosecution of the present application.

### **Claim Rejections – 35 USC §§ 102 & 103**

Claims 1, 13, and 20 were rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent 6,714,977 to Fowler, *et al.* (hereinafter Fowler). Claims 2, 3, 14, and 15 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Fowler in view of U.S. Patent 6,718,015 to Berstis, *et al.* (hereinafter Berstis). Claims 4-6, 8-12, and 16-18 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Fowler in view of U.S. Patent 6,754,310 to Steinbrenner, *et al.* (hereinafter Steinbrenner). Claims 7 and 19 were

rejected under 35 U.S.C. § 103(a) as being unpatentable over Fowler in view of U.S. Published Patent Application 2002/0065885 to Buonanno, *et al.* (hereinafter Buonanno).

Although Applicants respectfully disagree with the rejections, Applicants have amended Claim 1. Applicants have cancelled Claims 8-20. However, Applicants are not conceding that the remaining claims as originally formulated or the cancelled claims fail to present patentable subject. The amendments and cancellation are solely for the purpose of expediting prosecution. Accordingly, neither the amendments nor cancellations should be interpreted as the surrender of any subject matter, and Applicants expressly reserve the right to present the original version of any of the amended claims in any future divisional or continuation applications from the present application.

As discussed herein, the claim amendments are fully supported throughout the Specification. No new matter has been introduced by the claim amendments.

#### *Aspects of Applicants' Invention*

It may be helpful to reiterate certain aspects of Applicants' invention prior to addressing the cited references. One embodiment of the invention, as typified by amended Claim 1, is a household Internet connection monitoring and troubleshooting method.

The method can include detecting a connectivity problem with a household Internet connection, which connects a household intranet to the Internet; selecting a contact point from a list of multiple contact points of an owner of the household; and attempting to establish a communication connection with the contact point. The communication connection is different than the household Internet connection. The method can further include, when the attempt fails, selecting another contact point from the list and attempting to establish a communication connection with the other contact point until a communication connection is successfully established with one of the contact points in the list.

The method also can include conveying a problem notification to the contact point

through the communication connection; providing at least one option for troubleshooting the connectivity problem; receiving a selection of one of the at least one option; and responsively performing an action relating to the Internet connection based on the received selection of option.

See, e.g., Specification, paragraphs [0022] to [0024]; see also Fig. 2.

**The Claims Define Over The Prior Art**

Fowler discloses that if an Internet connection, or main power, is lost, a net bot 40 can dial out via telephone connection 42 to inform a system administrator of the loss of power or loss of the Internet connection (see col. 8, lines 20-29).

However, Fowler does not disclose trouble shooting the connectivity problem in order to help the home owner to diagnose and resolve the problem. More specifically, Fowler does not disclose providing at least one option for troubleshooting the connectivity problem; receiving a selection of one of the at least one option; and responsively performing an action relating to the Internet connection based on the received selection of option, as recited in amended Claim 1 of the instant application.

Fowler further does not disclose selecting a contact point from a list of multiple contact points of an owner of the household; attempting to establish a communication connection with the contact point; and if the attempt fails, selecting another contact point from the list and attempting to establish a communication connection with the other contact point until a communication connection is successfully established with one of the contact points in the list, as recited in amended Claim 1 of the instant application. In Fowler, if the telephone connection 42 fails, no attempt would be made to establish an alternative telephone connection. In contrast, in the present invention, a list of multiple contact numbers (such as a mobile telephone number, a pager number, a work number, a fax number, and the like) of the homeowner can be recorded and utilized to establish a telephone connection (see paragraph [0022]). As a result, in the present invention, the homeowner would be more certainly informed with the Internet connectivity problem.

Steinbrenner discloses a method of providing diagnostic information to at least one telephone. The method includes providing a telephony interface device having a memory device operatively coupled to the at least one telephone through a telephone line, the telephony interface device operatively coupled to a public switched telephone network; detecting the diagnostic information with the telephony interface device wherein the diagnostic information includes diagnostic information from the public switched telephone network, diagnostic information from the telephony interface device, and diagnostic information from the telephone line; storing the diagnostic information in the memory device; and transmitting diagnostic information from the telephony interface device to the at least one telephone (see Claim 18).

It is noted that Steinbrenner concerns a public switched telephone network, not an Internet connection. It is also noted that in Steinbrenner the diagnostic information is transmitted to at least one telephone, but no options for troubleshooting any connectivity problem are provided. It is further noted Steinbrenner does not disclose that the user at the telephone can select one of the options and an appropriate action (such as resetting equipment responsible for establishing the home Internet connection or rerouting traffic directed towards the home information system until the home Internet connection can be reestablished) can be taken based on the selection.

Buonanno discloses in paragraph [0049] that a hierarchical list of individuals who have been designated as being qualified to make decisions is stored in a list format. If the first listed individual cannot be immediately reached, then the exception handling system tries to reach the next person on that list. The exception handling system sequentially tries each of the listed personnel until someone is reached who can address the exception.

It is noted that in contrast to Buonanno in which alternative persons who can make decisions are listed, in the present invention, alternative contact numbers of the homeowner are listed.

Accordingly, the cited references, alone or in combination, fail to disclose or suggest each and every element of Claim 1 as amended. Applicants therefore respectfully submit that amended Claim 1 defines over the prior art. Furthermore, as each of the remaining claims depends from Claim 1 while reciting additional features, Applicants further respectfully submit that the remaining claims likewise define over the prior art.

Applicants thus respectfully request that the claim rejections under 35 U.S.C. §§ 102 & 103 be withdrawn.

### CONCLUSION

Applicants believe that this application is now in full condition for allowance. Allowance of the application, accordingly, is respectfully requested. Applicants request that the Examiner call the undersigned if clarification is needed on any matter within this Response, or if the Examiner believes a telephone interview would expedite the prosecution of the subject application to completion.

Respectfully submitted,

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